



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

RON MENOR
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
KYMBERLY MARCOS PINE
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
ERNEST Y. MARTIN
TREVOR OZAWA

JOURNAL

REGULAR MEETING
10TH SESSION
WEDNESDAY, AUGUST 9, 2017

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ron Menor, at 11:05 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Martin, Pine, Menor - 8.

Excused: Ozawa – 1.

INTRODUCTION OF GUESTS

There were no guests.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 9th Session (July 12, 2017) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Pine.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTION **RESOLUTION 17-190**

RESOLUTION RELATING TO THE REAPPOINTMENT OF EDWARD M. JOSEPH TO SERVE ON THE BOARD OF REVIEW III FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Edward Joseph (General comment)
2. Arvid Youngquist (Support)

Council Chair Menor referred Resolution 17-190 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION **RESOLUTION 17-191**

RESOLUTION RELATING TO THE REAPPOINTMENT OF PAMELA K. TONGG TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Misty Kela'i, Executive Director, Mayor's Office of Culture and the Arts (Support)

Council Chair Menor referred Resolution 17-191 to the Committee on Parks, Community and Customer Services for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-179 – COMMITTEE REPORT 286

RESOLUTION RELATING TO THE REAPPOINTMENT OF RICHARD J. PETERSON TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Elefante moved that Committee Report 286 and Resolution 17-179 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 286 and Resolution 17-179 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-181 – COMMITTEE REPORT 291

RESOLUTION RELATING TO THE REAPPOINTMENT OF IRENE L.A. PUUOHOU TO SERVE ON THE ETHICS BOARD OF APPEALS.

Councilmember Fukunaga moved that Committee Report 291 and Resolution 17-181 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Arvid Youngquist (Support)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-261).

Committee Report 291 and Resolution 17-181 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Ms. Puuohau.

Related communication:

M-3925 Randy Perreira, Executive Director, Hawaii Government Employees Association

ADOPTION
RESOLUTION 17-180 – COMMITTEE REPORT 293

RESOLUTION RELATING TO THE APPOINTMENT OF RUTH M.F. LIN TO SERVE ON THE BOARD OF REVIEW II FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 293 and Resolution 17-180 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Chu Lan Shubert-Kwock (Support)
2. Arvid Youngquist (Support)
3. Ron Nagasawa (Support)

Chair Menor stated that he met with Ms. Lin and was impressed with her qualifications and colorful personality. He voiced his support for the appointment.

Councilmember Kobayashi agreed with Chair Menor's comments of Ms. Lin. She noted that Ms. Lin has served in various capacities on various Boards and supports her appointment.

Committee Report 293 and Resolution 17-180 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Ms. Lin.

NEW BUSINESS

ADOPTION

RESOLUTION 17-182

RESOLUTION RELATING TO THE REAPPOINTMENT OF FERNANDO T. PACHECO TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Resolution 17-182 was waived to the Council floor by the Chair of the Parks, Community and Customer Services Committee.

Councilmember Anderson moved that Resolution 17-182 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Misty Kela'i, Executive Director, Mayor's Office of Culture and the Arts (Support)

Resolution 17-182 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Mr. Pacheco.

Related communications:

CC-256 Councilmember Ann Kobayashi
M-3537 Fernando Pizarro
M-3538 Gwen Nakamura

ADOPTION
RESOLUTION 17-183

RESOLUTION RELATING TO THE REAPPOINTMENT OF GALYN Y. WONG TO SERVE
ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF
HONOLULU.

Resolution 17-183 was waived to the Council floor by the Chair of the Parks, Community
and Customer Services Committee.

Councilmember Anderson moved that Resolution 17-183 be adopted. Seconded by
Councilmember Pine.

The following individuals testified:

1. Misty Kela'i, Mayor's Office of Culture and the Arts (Support)
2. Arvid Youngquist (Support)

Resolution 17-183 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Ms. Wong.

Related communication:

CC-257 Councilmember Ann Kobayashi

ADOPTION
RESOLUTION 17-184

RESOLUTION RELATING TO THE APPOINTMENT OF LEIGHTON K.F. LIU TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Resolution 17-184 was waived to the Council floor by the Chair of the Parks, Community and Customer Services Committee.

Councilmember Anderson moved that Resolution 17-184 be adopted. Seconded by Councilmember Pine.

The following individuals testified:

1. Misty Kela'i, Mayor's Office of Culture and the Arts (Support)
2. Arvid Youngquist (Support)
3. Choon James (General comment)

Resolution 17-184 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Mr. Liu.

Related communication:

CC-258 Councilmember Ann Kobayashi

PUBLIC HEARING/SECOND READING
BILL 67, CD1 – COMMITTEE REPORT 303

A BILL FOR AN ORDINANCE RELATING TO CURB RAMPS.

Councilmember Anderson moved that Committee Report 303 be adopted and Bill 67 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Bryan Mick, Disability and Communication Access Board (M-3844) (Support)
2. Rose Pou (General comment)
3. Arvid Youngquist (General comment)
4. Chu Lan Shubert-Kwock (Support)
5. Donald Sakamoto (Support)

Committee Report 303 was adopted and Bill 67, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.
NOES: None.

PUBLIC HEARING/SECOND READING
BILL 68, CD1 – COMMITTEE REPORT 304

A BILL FOR AN ORDINANCE RELATING TO SPECIAL TRANSIT SERVICE.

Councilmember Anderson moved that Committee Report 304 be adopted and Bill 68 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Bryan Mick, Disability and Communication Access Board (M-3845) (Support)
2. Rose Pou (General comment)
3. Donald Sakamoto (Support)
4. Barbra Armentrout (General comment)

Committee Report 304 was adopted and Bill 68, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-3926 Joy Nakata-Muranaka

THIRD READING

BILL 50, CD1 – COMMITTEE REPORT 288

A BILL FOR AN ORDINANCE RELATING TO CITY BOARDS AND COMMISSIONS.

Councilmember Fukunaga moved that Committee Report 288 be adopted and Bill 50, CD1 pass third reading. Seconded by Councilmember Anderson.

The following individual testified:

Arvid Youngquist (General comment)

Chair Emeritus Martin stated that the Bill is in response to a recommendation from the Charter Commission.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-230).

Committee Report 288 was adopted and Bill 50, CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

THIRD READING

BILL 57 – COMMITTEE REPORT 289

A BILL FOR AN ORDINANCE RELATING TO ETHICS COMMISSION STAFF.

Councilmember Fukunaga moved that Committee Report 289 be adopted and Bill 57 pass third reading. Seconded by Councilmember Anderson.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 289 was adopted and Bill 57 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

THIRD READING

BILL 66, CD1 – COMMITTEE REPORT 290

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SIDEWALKS.

Councilmember Fukunaga moved that Committee Report 290 be adopted and Bill 66 pass third reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Arvid Youngquist (Oppose)
2. Chu Lan Shubert-Kwock (Support)
3. Choon James (General comment)

Councilmember Kobayashi urged councilmembers to support the measure. She noted that when there are sweeps, these individuals move onto the location. Small business, seniors, those on wheelchairs and those with baby strollers end up going onto the street because the sidewalk is blocked by homeless individuals.

Committee Report 290 was adopted and Bill 66, CD1 passed third reading, as amended.

AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA,
MENOR – 7.

NOES: ELEFANTE, PINE – 2.

Related communication:

M-3991 Mandy Finlay, American Civil Liberties Union of Hawaii

RECESS/RECONVENE

At 11:50 a.m., the Chair called for a short recess and reconvened the meeting at 11:55 a.m.

DEFERRED TO AFTERNOON SESSION **BILL 22, CD1 – COMMITTEE REPORT 259**

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SPAY AND NEUTER CLINIC FOR DOGS AND CATS.

Chair Menor stated that Councilmember Anderson has distributed a handcarried FD1 and would like to give councilmembers time to review it before discussion. Therefore, the measure will be deferred and taken up after the lunch break.

THIRD READING **BILL 57 (2016), CD2 – COMMITTEE REPORT 301 AND FINDINGS OF FACT**

A BILL FOR AN ORDINANCE TO ADOPT THE REVISED KOOLAU POKO SUSTAINABLE COMMUNITIES PLAN FOR THE CITY AND COUNTY OF HONOLULU.

The following amendment was handcarried to the meeting:

Bill 57 (2016), CD2, Proposed FD1 (OCS2017-0826/8/8/2017 3:32 PM)

Councilmember Pine moved that Committee Report 301 and the Findings of Fact be adopted and Bill 57 (2016), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Elefante.

Councilmember Pine moved that the Finding of Fact and Bill 57 (2016), CD2 be amended to the handcarried FD1. Seconded by Councilmember Elefante. The FD1 makes the following amendments:

- A. In Section 3.1.3.4 of the Exhibit A Koolau Poko Sustainable Communities Plan, under the heading "Cemeteries," adds a sixth bullet point to the guidelines for cemeteries to read as follows:

Hawaiian Memorial Park shall record with the State of Hawaii Bureau of Conveyances or the State of Hawaii Land Court, or both, as appropriate, a conservation easement on the entirety of the 156-acre undeveloped portion of its Pikoiloa Tract property (TMK No. 4-5-033: 001) that would limit any other future development on the property, except for the 28.2-acre portion of the property that encompasses the proposed Hawaiian Memorial Park expansion site, and the 14.5-acre portion of the property that encompasses the proposed Kawa'ewa'e Heiau cultural preserve.

- B. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Susan Wong (M-3858) (Support)
2. Steven Lee Montgomery (M-3899) (Support)
3. Tania Tom Hoon (Support)
4. Leialoha Kaluhiwa, Koolaupoko Hawaiian Civic Club (M-3934) (Support)
5. Alice P. Hewett, Ko'olaupoko Hawaiian Civic Club (M-3934) (Support)
6. Mahealani Cypher, Ko'olau Foundation (M-3938) (Support)

In response to Chair Emeritus Martin, Ms. Cypher expressed the following concerns:

- Additional burials in the heiau site.
 - Would prefer the language be eliminated in the FD1.
 - Additional lands being urbanized surrounding the parcel.
 - Testified in committee on the amendment, but the committee chose to allow the urbanization of lands.
7. Kenneth Silva (M-3941) (Support)
 8. Julianne McCreedy, SaveKaneohe.org (M-3939) (Oppose)
 9. Mary I. Piette (M-3953, M-3994) (Oppose)
 10. Grant Yoshimori (Oppose)
 11. Rene Mansho (M-3961) (Support)
 12. Alicia Maluafiti, Poi Dogs & Popoki (M-3967) (Support)
 13. Ken Le Vasseur (Oppose)
 14. Chu Lan Shubert-Kwock (General comment)

15. Flora Obayashi, Kahaluu Neighborhood Board 29 (D-591) (Oppose)
16. Jamita Rae Smith (M-3940) (Support)
17. Paulette Tam (M-3819, M-3900, M-3975) (Support CD2)
18. Barbara Grace Ripple (M-3995) (General comment)
19. Samuel Cox (M-3993) (Oppose)
20. Michael Rosen (M-3811) (Support)
21. Mel Kalahiki (M-3821) (Support)
22. Bonnie Fo (Support)
23. Barbara Ziesel (M-3835) (Support)
24. Lianne Chang (Oppose)
25. Rich McCreedy (Oppose)
26. Arvid Youngquist (Support)
27. Choon James (Support)
28. Tori Tualatamalelagi (Oppose)
29. Winifred Uribe (M-3820) (Support)
30. Jay Morford, Hawaiian Memorial Park (M-3898, P-23) (Support)

In response to Chair Emeritus Martin, Mr. Morford stated he supports the language in the proposed FD1. He noted that a grading plan was done by a civil engineer showed a 20% reduction of water flow to the neighborhood.

31. Trisha K. Watson (Support)
32. Francis Kau (Oppose)

In response to councilmembers, Kathy Sokugawa, Acting Director, Department of Planning and Permitting stated:

- Whether or not the amendment goes forward, the land owner will be grandfathered in as a non-conforming use.
- In the early 1980s the land classification took place with the Tom Hoon property and other surrounding properties.
- Prior to 1980, the land was zoned residential under the Comprehensive Zoning Code.
- Before the Land Use Ordinance (LUO), residential zoning allowed crop production and agricultural uses. With the adoption of the LUO, any farm use in residential zoning is considered non-conforming.

- Down zoning is when residential zoning is changed to agricultural zoning. This project was down zoned.
- Spot zoning depends on the context. The 24 acres would not be considered spot zoning but it could be called into question.
- The Department does not have a position on CC-262 because they were not part of the review process.
- If the development plan allowed residential use prior to the change in the Development Plan, the project would be grandfathered in.

In response to Councilmember Anderson, Ms. Tom Hoon stated:

- The Tom Hoon family has been working with Bob Stanfield, Chief Planner, Department of Planning and Permitting.
- There are five other families.
- The Department of Planning and Permitting suggested the Tom Hoon family go to the City Council for an amendment and to the neighborhood board to seek their support. Unfortunately, the neighborhood board was in opposition.

RECESS/RECONVENE

At 1:28 p.m., the Chair called for a short recess and reconvened the meeting at 1:32 p.m.

Chair Menor requested that a representative from the Administration be present at Council meetings so that if questions arise for any Department, it can be communicated expeditiously to the specific Department.

Gary Kurokawa, Chief of Staff, Mayor's Office apologized to the Council for not having anyone present at the meeting. He informed the Council that the Budget Director and Deputy were in a meeting and that he would answer any questions.

In response to councilmembers, Chief of Staff Kurokawa stated that:

- If a property is zoned agriculture, they would have signed a dedication with the Real Property Office. The dedication runs for five and ten years, but regardless of the zone change, if they are still doing agriculture, then they will be grandfathered as agricultural with a tax rate of \$5.70. If they decide to build, under the tax ordinance, a 5,000 square foot residential area would be allowed. The 5,000 square feet would be valued as a home with a residential tax rate of \$3.50.
- The current dedication program considers changes to zoning and allows farmers to stay in agriculture no matter what is happening in surrounding areas and as long as they are actively farming, their taxes will be at the lowest rate possible to encourage farming.

Councilmember Anderson stated that he was advised by the Ethics Commission in 2010 that he has a conflict of interest with regard to one of the applications received for the Koolau Poko Sustainable Communities plan and he would not vote on the measure.

Chair Emeritus Martin stated that the Koolau Poko Sustainable Communities Plan only affects a slight section of his district; however, he was asked by some of the residents to convey their concerns. He noted that his general philosophy is to defer to the councilmember of the district with regards to an issue that affects their constituency, but it is difficult when the councilmember of the district has to recuse himself. He stated that testimony given by one land owner was compelling and should be given consideration and the concerns expressed by those living within the district was equally compelling. He noted that the committee has worked very hard on the measure and that he will support the recommendation.

Councilmember Anderson stated he was advised that he can speak on two amendments. First, with regards to the Board of Water Supply amendment pertaining to Haiku Valley, he recommends that those amendments be included and remain part of the measure. The second is the Tom Hoon amendment and he asked for councilmembers' support.

Councilmember Elefante thanked the stakeholders that came forward to testify on the measure. He noted that there were numerous amendments that were proposed and it was challenging to balance the amendments and come to a compromise with a good plan. He commended Councilmember Pine for taking the lead. He stated that he will support the proposed handcarried FD1.

Councilmember Ozawa thanked everyone that testified. He noted, for the record, that he has concerns specifically with regard to the potential liability should the Board of Water Supply acquire responsibility for the Haiku Stairs.

Councilmember Pine thanked the councilmembers and the community. She recapped what has been done since 2009 and the recent amendments that were proposed.

Councilmembers Anderson (CC-249 [2016]), Elefante (CC-269), Chair Menor (CC-275) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Bill 57 (2016), CD2 and Findings of Fact were amended to the handcarried FD1 (OCS2017-0826/8/8/2017 3:32 PM).

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 8.

NOES: None.

ABSTAIN: ANDERSON – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 8.

NOES: None.

ABSTAIN: ANDERSON – 1.

Committee Report 301 was adopted and Bill 57 (2016), CD2, FD1 passed third reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 8.

NOES: None.

ABSENT: ANDERSON – 1.

Related communications:

CC-119 Councilmember Ikaika Anderson

CC-274 Councilmember Ikaika Anderson

D-590 Ernest Y.W. Lau, Manager and Chief Engineer, Board of Water Supply

M-3746 Lisa A. Dias

M-3812 Lisa Cabanting

M-3813 Cassie Esteban

City Council Journal
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M-3814	Bryce Ichimasa
M-3815	Arthur Newalu
M-3816	Pat Newalu
M-3817	Marilou Padilla
M-3818	John Puchalski
M-3823	Barbara Jane Abbey
M-3824	Leilani Bonifacio
M-3825	Cristina Cruz
M-3826	Elsie (edamaso1963@gmail.com)
M-3827	Shannon Hirao
M-3828	Michael Ida
M-3829	Talo Malufau
M-3830	William Petty
M-3831	Marcelinda (Merci) Soriano
M-3832	Susan Castaño
M-3833	Michael Sasaki
M-3834	Merlie N. Wilmeth
M-3840	Justin (juskaina@yahoo.com)
M-3841	James Reyes
M-3842	Regina Joyce Billaber Reyes
M-3843	Barry L. Wilmeth
M-3846	Lovena Ahlo
M-3847	Ennilee Anulao
M-3848	Elsa Dasigo
M-3849	Mindy Kadowaki
M-3850	Albert Kalilikane
M-3851	Ellymae Kalilikane
M-3852	James Kerr
M-3853	Florence Kim
M-3854	Anthony Lui
M-3855	Kylee Pakele-Kadowaki
M-3856	Francis Stone
M-3857	Ivory Stone
M-3859	Jasmine Balictar
M-3860	Albert Henry Kalilikane, Jr.
M-3861	Kale Kalani Kwon
M-3862	Kelii Kwon
M-3863	Valynn Kwon
M-3864	Eileen Lui
M-3865	D. Pascua (lakalo1@hotmail.com)
M-3866	Vanessa Pascua

City Council Journal
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M-3867	Francis Stone, Jr.
M-3868	J. Stone (lalalo1@hotmail.com)
M-3869	Jarrett Stone
M-3870	Clyde T. Hayashi, Director, Hawaii Laborers-Employers Cooperation and Education Trust
M-3871	Kilolani Akiu
M-3872	ReVere Akiu
M-3873	Reyn Akiu
M-3874	Rogers Akiu
M-3875	Ryse Akiu
M-3876	Christian Anulao
M-3877	Rissi Bautista
M-3878	Carmelo Bonifacio
M-3879	Domineque Bonifacio
M-3880	Kawika K. Burgess, Hawaiian Islands Land Trust
M-3881	Cody Canada
M-3882	Diane Canada
M-3883	Robert Chang
M-3884	Michael Delaney
M-3885	Melissa Eyre
M-3886	Gary L. Gray
M-3887	Ruth Hirai
M-3888	Wade Hiraishi
M-3889	Barbara Ho
M-3890	Edmund Ho
M-3891	Kerri Kahapea
M-3892	Rebecca Kamakawiwooli
M-3893	Rachel Kawakami
M-3894	Ralu Kimizuka
M-3895	Ronel Makuakane
M-3896	Jeff Matsumoto
M-3897	Shaun McCreedy
M-3901	Kathleen A. O'Malley
M-3902	LeAnn Sandobal
M-3903	Melaney Sato
M-3904	Charise Stevens
M-3905	Peter Swenson
M-3906	Roy Tamanaha
M-3907	Elizabeth Taylor
M-3908	Dayle Turner
M-3909	Cathy Veillard

City Council Journal
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M-3910	Gary E. Weller
M-3911	Thomas M. Witaker
M-3912	Carolyn A. Wilkinson
M-3913	Debbie Yamada
M-3914	Corinne Yamashiro
M-3931	Natalie Chu
M-3932	Carli Gardner
M-3933	April M. Gillia
M-3935	Barbara Ho
M-3936	Edgardo R. Laureto
M-3937	Tracy Larrua
M-3938	Aaron Mahi, President, Ko'olau Foundation
M-3942	Debra Stephenson
M-3943	Ligaya L. Stice
M-3944	Janet Tamura
M-3945	Karen Vidinha
M-3946	Richard Miller, The Resident Hui of Pohai Nani
M-3947	Patricia Camero, The Good Samaritan Society
M-3948	Tiffany (Kaneohelii@gmail.com)
M-3949	Tyler Ching
M-3950	Dennis Jones
M-3951	Linda Rose Herman
M-3952	Jeri Miyasato
M-3954	Al Keali'i Chock
M-3955	Robert Larm
M-3956	Jodi-Lyn Kahue
M-3957	Madison L. Goff
M-3958	Carol Komatsu
M-3959	Eric Nakagawa
M-3960	Dick Johnson
M-3962	Arlene Larrua
M-3963	Kristie Araki
M-3964	Logan Araki
M-3965	Asato (pasat01@hawaii.rr.com)
M-3966	Garnett J. Howard
M-3968	Andrea Anixt
M-3969	Elaine Kam
M-3973	Guy K. Fujimura, Secretary-Treasurer, ILWU Local 142
M-3974	Larry McElheny
M-3976	Michael Yamaguchi, Oahu Division Director, ILWU Local 142
M-3977	Laura Morgenstein

M-3992 Carol Brede
M-4000 Myrna Arume
M-4004 Debbie Sur

RECESS/RECONVENE

At 2:05 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Anderson, Kobayashi, Pine – 3), the Chair reconvened the meeting at 3:18 p.m.

At this juncture, there being no objections from the 6 members present (Absent: Anderson, Kobayashi, Pine – 3), the Chair considered Bill 51, CD1 on page 9 of the agenda.

THIRD READING

BILL 51, CD1 – COMMITTEE REPORT 302

A BILL FOR AN ORDINANCE RELATING TO PARKING TIME LIMITS.

Councilmember Anderson moved that Committee Report 302 be adopted and Bill 51, CD1 pass third reading. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 302 was adopted and Bill 51, CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, OZAWA,
PINE, MENOR – 8.
NOES: None.
ABSENT: KOBAYASHI – 1.

THIRD READING

BILL 54 – COMMITTEE REPORT 305

A BILL FOR AN ORDINANCE RELATING TO WIND MACHINES.

Councilmember Pine moved that Committee Report 305 be adopted and Bill 54 pass third reading. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 305 was adopted and Bill 54 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, OZAWA,
PINE, MENOR – 8.

NOES: None.

ABSENT: KOBAYASHI – 1.

FIRST READING

BILL 69

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY.

Councilmember Anderson moved that Bill 69 pass first reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Karen Winston Fox (M-3972) (Support)
2. Lorraine Loui (Oppose)

In response to councilmembers, Ms. Loui responded:

- A couple of years ago, she was quoted \$14,000 per unit to retrofit sprinklers in the building.
- She does not know if fire sprinklers would have helped the situation but wanted to know what other cities on the mainland do or how they deal with this type of situation.
- She feels that the residents in buildings without fire sprinklers are going to have to pay for the installation of fire sprinklers because it will be mandatory. They currently have other expenses that are being charged for maintaining the buildings. This will eventually lead to people being homeless because they cannot afford the payments.

3. Mayor Kirk Caldwell (Support)

In response to councilmembers, Mayor Caldwell stated:

- Units should be retrofitted with fire extinguishers.
- Smoke alarms would also save lives.
- Residents who are unable to afford retrofitting their unit could take advantage of the City's interest free loan program.

Chair Menor thanked the Mayor for his testimony and noted that as the measure moves on, he looks forward to finding a balance on the critical issue.

- 4. James K. Manaku, Sr. (General comment)
- 5. Natalie Fogle (General comment)
- 6. Arvid Youngquist (Support)
- 7. Manuel Neves, Honolulu Fire Department (Support)

In response to councilmembers, Fire Chief Manuel Neves and Assistant Fire Chief Socrates Bratakos stated that the Department:

- Is currently finalizing the count and prioritizing the 300+ buildings that are more than 75 feet that would require retrofitting.
- Will have the number of units affected before the next Committee meeting.
- Are close to completing the investigation and should have results within the month.
- The Fire Code of the City and County of Honolulu requires that highrise residential buildings above 75 feet require quarterly fire drills by the staff in the building; not necessarily for the residents.

Councilmember Ozawa understood the many expenses of living in condominiums, but priorities need to be made on safety issues. He noted that he is aware that Boards do have to maintain and fix problems, however it is not the government's role to micromanage and force associations to assess unnecessary expenses. He stated that this will be a long journey and that he looks forward to discussions and finding a solution to saving lives.

Bill 69 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

CC-276	Andrew Sekine, Office of Council Services
M-3970	John Dotten
M-3971	Raymond B. Bizal, National Fire Protection Association
M-3996	Chris Fogle
M-3997	Jane Sugimura
M-3999	Carol A. Milsop
M-4005	Harvey Hakoda

At this juncture, there being no objections from the 9 members present, the Chair considered Bill 22, CD1 on page 8 of the agenda.

DEFERRED TO END OF THE CALENDAR
BILL 22, CD1 – COMMITTEE REPORT 259

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SPAY AND NEUTER CLINIC FOR DOGS AND CATS.

The following amendment was posted on the agenda:

Bill 22, CD1, Proposed FD1 (OCS2017-0798/8/2/2017 3:21 PM)

(Note: The above amendment was not considered.)

Bill 22, CD1, Proposed FD1 (OCS2017-0806/8/3/2017 4:11 PM)

The following amendment was handcarried to the meeting:

Bill, 22, CD1, Proposed FD1 (OCS2017-0834/8/9/2017 9:57 AM)

Councilmember Manahan moved that Committee Report 259 and be adopted and Bill 22, CD1 pass third reading. Seconded by Councilmember Elefante.

Councilmember Anderson explained that his handcarried FD1 makes the following amendments:

- A. Removes the proposed ROH subsection 7-5.1(a)(5) which would have established a fee of no more than \$10.00 for the spay or neutering of a feral or community cat.
- B. Removes the proposed ROH subsection 7-5.1(e) which would have set the reimbursement to veterinarians at \$25.00 and would have set the required microchip identification cost to the owner at no more than \$10.00.
- C. Adds an uncodified Section 3 which authorizes the establishment of a pilot project to reduce the City's pet overpopulation through the humane spaying and neutering of free-roaming cats and specifies the following requirements for the pilot project, if it is to be established:
 - (1) The price of a certificate for the spaying of a free-roaming female cat or the neutering of a free-roaming male cat must not exceed \$10.00;
 - (2) The change in the certificate price shall not reduce the contracted reimbursement rate for veterinarians;
 - (3) The pilot project will cease to exist on June 30, 2018; and
 - (4) The City Administration shall submit to the Council a report summarizing the results of the pilot project by August 31, 2018.
- D. Makes miscellaneous technical and nonsubstantive amendments.

Chair Menor explained that his posted FD1 makes the following amendments:

- A. Removes all proposed amendments to ROH Section 7-5.1 ("Authority for Clinic and Fees") which would have:
 - (1) Established a fee of no more than \$10.00 for the spaying or neutering of a feral or community cat.
 - (2) Enabled members of the public who have been issued a low income housing voucher or Medicaid card to purchase a certificate for \$20.00

- (3) Set the reimbursement to veterinarians at \$25.00 for the spaying or neutering of a feral or community cat and would have set the required microchip identification cost to the owner at no more than \$10.00.
- B. Authorizes the City, in conjunction with the animal control contractor, to establish a pilot program to reduce the City's free-roaming cat overpopulation through the humane spaying and neutering of free-roaming cats, and to provide Medicaid card holders with a reduced certificate price. Specifically, the requirements of the pilot program:
- (1) Sets the price of a certificate for the spaying of a free-roaming female cat or the neutering of a free-roaming male cat, or a member of the public who has been issued a Medicaid card at no more than \$20.00;
 - (2) Specifies that the change in the certificate price must not reduce the contracted reimbursement rate for veterinarians;
 - (3) Specifies that the pilot program will commence on October 1, 2017 and terminate on March 1, 2018; and
 - (4) Provides that the City administration must submit to the Council a report summarizing the results of the pilot program by April 15, 2018.
- C. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Bob Toyofuku, Hawaiian Humane Society (M-3927) (General comment)
2. Stephanie Kendrick, Hawaiian Humane Society (M-3928) (General comment)
3. Alicia Maluafiti, Poi Dogs & Popoki (M-3929) (Support)

In response to councilmembers, Ms. Maluafiti stated that she is in support of the CD1. She is open to discussion on the FD1 but believes that the CD1 will do the job.

4. Arvid Youngquist (General comment)
5. Randy Leong, Department of Community Services (General comment)

Councilmember Manahan commended Ms. Maluafiti and Poi Dogs and Popoki for their great program which he has always supported. He explained that the purpose and intent of moving the CD1 out of Committee was to strike a balance between the stakeholders.

In response to Councilmember Manahan, Ms. Maluafiti stated she had some differences with Randy Leong from the Department of Customer Services (DCS) and just wanted to meet with the Humane Society and see what the best interest would be for the animals and the taxpayers through the animal control contract.

In response to councilmembers, Randy Leong, Deputy Director, DCS stated:

- The DCS is not opposed to change or to a feral cat program.
- He committed to implementing a pilot program and reporting back to the Council on its effectiveness.
- Existing funds in the neuter now program can be used to administer the pilot program.
- The funds would be only for the current fiscal year if the CD1 passed today.
- The FD1 allows for a pilot program and would utilize the findings of the program for future budgeting.
- The CD1 would take effect upon approval and the DCS would need to find the funding in the current budget.
- The DCS would need a month or two to start the program so Chair Menor's FD1 which would take effect on October 1, 2017 is preferred.
- In analyzing the pilot program, including the Medicaid cardholder would provide a good study to see how well the program is received by the public. The program should be opened up to EBT and Medicaid cardholders only.
- He is concerned about the fairness and equity for veterinarians who perform the service on feral cats. The certificate should be \$20 and the veterinarians would be reimbursed the contracted rate of \$40 or \$50.

After listening to the discussion, Chair Menor noted that he would be proposing another floor draft to adjust commencement date and changing the termination date to June 30, 2018; requiring a status report from the Administration summarizing the results of the pilot program by April 15, 2018; and keeping the price at \$20.

Chair Emeritus Martin thanked Chair Menor and Vice Chair Anderson as well as Councilmember Kobayashi. He noted that he would prefer the CD1 because if another FD1 is introduced, other issues may be raised and he does not favor a pilot program.

Chair Menor stated that he would draft a new FD1 and defer the Bill to the end of the calendar.

Councilmember Manahan suggested that the measure be recommitted back to Committee to work with stakeholders on additional amendments.

Councilmember Kobayashi asked Chair Menor to consider including the language proposed by Councilmember Anderson.

Councilmember Anderson requested that all of the provisions in his FD1 be put into the new handcarried FD1, otherwise he would prefer that the CD1 be considered.

Councilmember Ozawa stated he would be open to recommitting the measure back to Committee.

There being no objections from the 9 members present, Chair Menor deferred the Bill to the end of the calendar.

RECESS/RECONVENE

At 5:31 p.m., the Chair called for a short recess and reconvened the meeting at 5:33 p.m.

The Council Chair returned to the agenda order.

FIRST READING

BILL 70

(Public Health, Safety and Welfare)

A BILL FOR AN ORDINANCE RELATING TO SMOKING.

Councilmember Anderson moved that Bill 70 pass first reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Trish La Chica, Coalition for a Tobacco-free Hawaii (M-3978) (Support)
2. Arvid Youngquist (General comment)
3. Lola Irvin, Department of Health (M-3839) (Support)

Bill 70 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN,
MENOR – 6.

NOES: None.

ABSENT: MARTIN, OZAWA, PINE – 3.

Related communications:

M-3810 Sam Kakazu
M-3924 Michael Zehner

FIRST READING

BILL 72

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO CITY-OWNED STREAMS.

Councilmember Anderson moved that Bill 72 pass first reading. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (General comment)

Bill 72 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR – 6.

NOES: None.

ABSENT: ANDERSON, OZAWA, PINE – 3.

Related communication:

D-588 Major Crizalmer Caraang, Honolulu Police Department

FIRST READING

BILL 73

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO LITTER REDUCTION.

Councilmember Anderson moved that Bill 73 pass first reading. Seconded by Councilmember Pine.

The following individual testified:

Robert Kline, KYD, Inc. (M-3836) (Support)

Bill 73 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR – 6.

NOES: None.

ABSENT: ANDERSON, OZAWA, PINE – 3.

Related communications:

M-3822	Victor Lim, Hawaii Restaurant Association
M-3836	Robert Kline, KYD, Inc. dba Yamada Distributors
M-3979	Tim Shestek, American Chemistry Council
M-4001	David Atcheson

ADOPTION

RESOLUTION 17-189 – COMMITTEE REPORT 287

RESOLUTION URGING THE HAWAII BOARD OF LAND AND NATURAL RESOURCES TO ADOPT RULES PROHIBITING ALCOHOL USE AND DISORDERLY BEHAVIOR AT WAIKIKI “FLOATILLA” EVENTS.

Councilmember Elefante moved that Committee Report 287 and Resolution 17-189 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 287 and Resolution 17-189 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
MENOR – 7.
NOES: None.
ABSENT: OZAWA, PINE – 2.

ADOPTION

RESOLUTION 17-195, CD1 – COMMITTEE REPORT 292

RESOLUTION URGING THE CITY ADMINISTRATION TO PROVIDE AN UPDATE OF
THE 2005 RESIDENTIAL FIRE SAFETY ADVISORY COMMITTEE REPORT.

Councilmember Fukunaga moved that Committee Report 292 and Resolution 17-195, CD1
be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Manuel Neves, Honolulu Fire Department (Support)

Councilmember Fukunaga thanked the Office of Council Services for the memo listing cities
that require sprinklers in existing buildings and how residential highrises are treated.

Committee Report 292 and Resolution 17-195, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
MENOR – 7.
NOES: None.
ABSENT: OZAWA, PINE – 2.

Related communications:

M-3980 Lila Mower
M-3981 Lourdes Scheibert
M-3998 Jane Sugimura

ADOPTION

RESOLUTION 17-187 – COMMITTEE REPORT 294

RESOLUTION ACCEPTING A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE CITY OF PORTLAND, OREGON AUDIT SERVICES DIVISION TO PAY FOR THE COST OF ONE PEER REVIEW TEAM MEMBER TO TRAVEL FROM HONOLULU TO CONDUCT A PEER REVIEW.

Councilmember Manahan moved that Committee Report 294 and Resolution 17-187 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 294 and Resolution 17-187 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR – 7.

NOES: None.

ABSENT: OZAWA, PINE – 2.

ADOPTION

RESOLUTION 17-200 – COMMITTEE REPORT 297

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM HONOLULU FESTIVAL FOUNDATION.

Councilmember Manahan moved that Committee Report 297 and Resolution 17-200 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 297 and Resolution 17-200 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 MENOR – 7.
NOES: None.
ABSENT: OZAWA, PINE – 2.

ADOPTION

RESOLUTION 17-194 – COMMITTEE REPORT 295

RESOLUTION APPROVING THE CITY AND COUNTY OF HONOLULU'S PROPOSED AMENDED CONSOLIDATED PLAN FOR PROGRAM YEARS 2016 - 2020 IN COMPLIANCE WITH SECTION 1-8.3 OF THE REVISED ORDINANCES OF HONOLULU.

Councilmember Manahan moved that Committee Report 295 and Resolution 17-194 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Chair Emeritus Martin noted that as a result of an audit by the HUD Inspector General, the non-profit community will not be able to garner any capital improvement program funds from the City and County of Honolulu. He stated that he will vote no on the measure.

Councilmember Kobayashi stated she does not agree with the measure because the program should be for non-profits and should not be used for City projects.

Councilmember Manahan spoke in support of the measure as the change was recommended by HUD to meet timeliness issues. He noted that there were issues appropriating monies to some non-profits because they were not able to spend down the monies in time.

Committee Report 295 and Resolution 17-194 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA*, MANAHAN, PINE, MENOR – 6.
NOES: KOBAYASHI, MARTIN – 2.
ABSENT: OZAWA – 1.

*Councilmember Fukunaga voted aye with reservations.

ADOPTION

RESOLUTION 17-197 – COMMITTEE REPORT 296

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 296 and Resolution 17-197 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

In response to Mr. Youngquist, Councilmember Elefante stated that the transfer of \$650,925 was requested to help cover the City's matching contribution required by the U.S. Department of Urban Development for Emergency Solutions Grants.

Committee Report 296 and Resolution 17-197 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-201 – COMMITTEE REPORT 298

RESOLUTION ESTABLISHING CITY POLICIES AND PRIORITIES FOR THE USE OF THE GRANTS IN AID FUND.

Councilmember Manahan moved that Committee Report 298 and Resolution 17-201 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

Chair Emeritus Martin stated that the measure limits the opportunities for agencies providing services in the culture and arts community to have a competitive chance to receive funds. He noted that requesting a change in policy solely to accommodate one particular agency is a little selfish and that he will vote no on the measure.

Committee Report 298 and Resolution 17-201 were adopted.

AYES: ANDERSON, ELEFANTE, KOBAYASHI, MANAHAN, PINE, MENOR – 6.
NOES: FUKUNAGA, MARTIN – 2.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-193, CD1 – COMMITTEE REPORT 299

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO UPGRADE THE CITY'S WASTEWATER SYSTEM TO ADDRESS SEWER CAPACITY PROBLEMS, GIVING PRIORITY TO THOSE RESIDENTIAL COMMUNITIES IN WHICH ACCESSORY DWELLING UNIT BUILDING PERMITS HAVE BEEN DENIED BECAUSE OF INADEQUATE SEWERAGE INFRASTRUCTURE.

Councilmember Fukunaga moved that Committee Report 299 and Resolution 17-193, CD1 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 299 and Resolution 17-193, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-205, CD1 – COMMITTEE REPORT 306

RESOLUTION URGING THE CITY ADMINISTRATION TO IMMEDIATELY REMOVE TRAFFIC "BULB-OUTS" FROM THE CHINATOWN SPECIAL DISTRICT.

Councilmember Fukunaga moved that Committee Report 306 and Resolution 17-205, CD1 be adopted. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Arvid Youngquist (General comment)
2. E. Lee Stack, Chinatown Improvement District (M-3987) (Support)
3. Chu Lan Shubert-Kwock (P-22) (Support)

In response to Councilmember Fukunaga, Ms. Shubert-Kwock stated that most of the Chinatown merchants signed the petition to remove the bulb-outs. Currently there are over 2,750 signatures with additional merchants wanting to sign. The merchants are upset with the bulb-outs and would like an opportunity to work with the Department of Transportation Services to find a better solution.

Councilmember Fukunaga explained that the Department did do public outreach but not all merchants were aware of the bulb-outs. She noted that their revenues are down and they are requesting that the bulb-outs be removed and she asked councilmembers to support the measure.

Councilmember Pine thanked the Department for trying their best, but since it is clear that the bulb-outs are hurting the people, she stated that she will vote in support of the measure.

Councilmember Elefante stated that he believes in complete streets, including bulb-outs. As he is sensitive to the community and understands the businesses situation, he urged the Department of Transportation Services to work with area councilmembers when pilot projects are being considered. He noted that he will vote no on the measure.

Councilmember Anderson stated that the bulb-outs need to be re-evaluated and that he will support the measure.

Councilmember Kobayashi thanked Councilmember Fukunaga for introducing the Resolution. She noted that as a strong supporter of complete streets, she will vote in support of the measure.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-271).

Committee Report 306 and Resolution 17-205, CD1 were adopted.

AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE,
 MENOR – 7.
NOES: ELEFANTE – 1.
ABSENT: OZAWA – 1.

Related communications:

CC-277	Councilmember Carol Fukunaga
M-3837	Lynne Matusow
M-3915	Joshua Chang
M-3916	Anthony Hill, Jr.
M-3917	Tara Hill
M-3918	James Logue
M-3919	Wanda Lum
M-3920	Barbara Mau
M-3921	Barry Mau
M-3922	George Peltier
M-3923	Sam Say
M-3982	Carole Shimada
M-3983	Elizabeth M. Stack
M-3984	Alvin Au
M-3985	Governor Neil Abercrombie
M-3986	Dennis Au Hoy
M-3988	Noelle M.K.Y. Kahanu, Hawaii Academy of Performing Arts
M-3989	Jillian Jakahi
M-4002	Marilei Patterson
M-4003	Victor Lim, Neil Abercrombie, Carol Fukunaga, Lee Stack, Wesley F. Fong and Chu Lan Shubert-Kwock

BALANCE OF COMMITTEE REPORTS

[PWISCR-300](#) Deed conveying roadway Lots 60 and 62; Grant of Drain
Easement 8; Grant of Flowage Easement 8; Grant of Sewer
Easements 8, 18, A and B (Royal Kunia, Site 12, Phase A
Subdivision). ([D-467](#))

Councilmember Anderson moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (Support)

The Balance of Committee Reports was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

UNFINISHED BUSINESS

CANCELLED

BILL 42 – COMMITTEE REPORT 175

A BILL FOR AN ORDINANCE RELATING TO FUNDING FOR TRANSIT.

Prior to the start of the meeting, Chair Menor announced that Bill 42 was cancelled and would not be considered.

NEW BUSINESS (Cont'd.)

APPROVAL

COMMUNICATION D-569

From the Department of Planning and Permitting, requesting a 120-day extension of time on Bill 15, CD1, relating to Interim Planned Development-Permits for Transit-Oriented Development.

Councilmember Anderson moved that Communication D-569 be approved. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (General comment)

Councilmember Elefante noted for the record that he filed a Disclosures of Interest with the City Clerk's Office (CC-164, CC-165).

Communication D-569 was approved.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

CC-268 Councilmember Kymberly Marcos Pine

APPROVAL
COMMUNICATION M-3747

From Hawaii Ocean Plaza LP, requesting a 120-day extension of time on Resolution 17-175, approving a conceptual plan for an Interim Planned Development-Transit project for the development of the Hawaii Ocean Plaza Mixed Use Development Project.

Councilmember Anderson moved that Communication M-3747 be approved. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (General comment)

Councilmember Manahan explained that Hawaii Ocean Plaza representatives have been insincere and disingenuous in creating a good package for the community and for those reasons he will vote in opposition to the extension of time.

Councilmember Anderson stated he is in opposition of the measure, but at the request of Councilmember Kobayashi, the councilmember of the district, he will vote with reservations to move the time extension forward and noted that he looks forward to further discussion in Committee.

Councilmember Kobayashi noted that the project is good but unfortunately started off badly because of the cultural differences and a language barrier. She asked for councilmembers' support of the extension of time.

Councilmember Pine noted that this is an extension of time request and the Committee is working with all stakeholders on the project.

Councilmember Elefante stated he will be voting with reservations as he still has concerns that he will raise in Committee.

Chair Emeritus Martin voiced his support of the extension.

Communication M-3747 was approved.

AYES: ANDERSON*, ELEFANTE*, FUKUNAGA, KOBAYASHI, MARTIN, PINE,
 MENOR – 7.

NOES: MANAHAN – 1.

ABSENT: OZAWA – 1.

*Councilmembers Anderson and Elefante voted aye with reservations.

Related communication:

CC-268 Councilmember Kymberly Marcos Pine

COMMITTED TO THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS RESOLUTION 17-208

RESOLUTION REQUESTING THE SUPPORT OF THE HAWAII STATE ASSOCIATION OF COUNTIES AND ITS EXECUTIVE COMMITTEE FOR THE HAWAII STATE LEGISLATURE'S APPROVAL OF AN EXTENSION OF THE HONOLULU GENERAL EXCISE AND USE TAX SURCHARGE AS NECESSARY TO ENABLE THE COMPLETION OF THE MINIMUM OPERABLE SEGMENT OF THE HONOLULU HIGH-CAPACITY TRANSIT CORRIDOR PROJECT.

Councilmember Anderson moved that Resolution 17-208 be committed to the Committee on Executive Matters and Legal Affairs. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (General comment)

Councilmember Anderson asked for councilmembers to support for the measure and noted that he looks forward to further discussion in Committee.

Resolution 17-208 was committed to the Committee on Executive Matters and Legal Affairs.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

D-592 Natalie Iwasa, Chairperson, Hawaii Kai Neighborhood Board
M-3990 Natalie Iwasa

RECESS/RECONVENE

At 6:43 p.m., the Chair called for a short recess and reconvened the meeting at 6:51 p.m.

CONTINUATION OF MORNING CALENDAR ITEM (from Page 8)

THIRD READING

BILL 22, CD1, FD1 – COMMITTEE REPORT 259

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SPAY AND NEUTER CLINIC FOR DOGS AND CATS.

The following amendment was handcarried to the meeting:

Bill 22, CD1, Proposed FD1 (No OCS number)

Chair Menor explained his handcarried FD1:

- It establishes a pilot program which would extend the spay and neuter program to individuals who wish to bring in free-roaming or so-called feral cats into the program for spaying and neutering.
- It would allow EBT cardholders, Medicaid card, and low-income housing voucher holders to purchase certificates at a discounted or reduced price of \$20.
- Each certificate would cost \$10.
- People bringing in feral cats would pay a discounted price of \$10.
- The pilot program would commence on September 1, 2017 and terminate on June 30, 2018.
- The City Administration would be required to submit a status report on how the pilot program is working to the Council by April 15, 2018.

Councilmember Manahan moved that Bill 22, CD1 be amended to the handcarried FD1 (No OCS number). Seconded by Councilmember Elefante.

The following individuals testified:

1. Alicia Maluafiti, Poi Dogs & Popoki (Support)
2. Arvid Youngquist (General comment)

In response to Mr. Youngquist, Chair Menor stated that the measure refers to the animal control contract.

3. Bob Toyofuku, Hawaiian Humane Society (General comment)

Bill 22, CD1 was amended to handcarried FD1 (No OCS number)

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Councilmember Anderson stated that he did not see the EBT card in the handcarried FD1.

Chair Menor stated that the EBT program would not be impacted by the handcarried FD1 and the program would continue receiving the \$20 discount. He noted that the pilot program just expands the availability of the discount to Medicaid and low-income housing voucher holders.

In response to Councilmember Pine, Randy Leong, Deputy Director, DCS stated the EBT cardholders in the Neuter Now Program pay \$20 which would apply to the pilot program.

Chair Menor clarified that the Bill creates a separate section in the pilot program in addition to the provisions in the existing ordinance for EBT cardholders.

Councilmember Anderson spoke in support of moving the measure forward and that any concerns should have been raised earlier.

Councilmember Pine echoed the comment of Councilmember Anderson and expressed the hope that issues be identified earlier.

Chair Menor spoke in strong support of the measure and expressed appreciation for everyone's patience in moving the measure forward.

Committee Report 259 was adopted and Bill 22, CD1, FD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA*, KOBAYASHI, MANAHAN,
 MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

*Councilmember Fukunaga voted aye with reservations.

Related communication:

M-3930 Linda Rose Herman

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Manahan congratulated Councilmember Ozawa and his wife Michi on the birth of their daughter, Ava Malia Ozawa, who was born on July 27, 2017.

ADJOURNMENT

At 7:10 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, September 6, 2017, at 10 a.m. at Kapolei Hale. Seconded by Councilmember Pine and there being no objections from the 7 members present (Absent: Martin, Ozawa – 2), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

Sept. 6, 2017